

SOFER & HAROUN, L.L.P.  
PATENT FILING TRANSMITTAL

ATTORNEY DOCKET NO: 979-053

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### PATENT FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of:

Klaus Schippl  
Stephan Lange

For: **FLEXIBLE CONDUIT**

This new patent application is for a(n):

- ☒ Utility
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation-in-part
- ☐ Provisional

#### Benefit of a prior filed application

- ☐ This is a continuation-in-part of copending application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ claims the benefit of an earlier filed U.S. Patent Application under 35 USC 120.
- ☒ Please accord Applicant the benefit of the priority date of April 30, 2003 to this case pursuant to 35 USC 119. Applicant's claim for priority is based on application 103 19 387.1 filed in Germany on that date.

#### Filing under 37 CFR 1.53 (Utility) or 37 CFR 1.153 (Design)

- ☒ This is an application filed pursuant to 37 CFR 1.53 or 37 CFR 1.153, permitting receipt of a filing date upon filing of a specification, at least one claim and necessary drawings.
- ☒ In the event any parts of this application are incomplete, please treat this as a filing under 37 CFR 1.53

#### CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited with the U. S. Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 as Express Mail No. \_\_\_\_\_ addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on \_\_\_\_\_ by \_\_\_\_\_.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

or 37 CFR 1.153.

### ENCLOSURES

Minimum requirements under 37 CFR 1.53(b) (Utility) or 37 CFR 1.153 (Design)

- ☒ 7 pages of specification;
  - ☒ 2 pages of claims;
  - ☒ 1 pages of abstract;
  - ☒ 1 sheets of informal drawing;
  - ☐ A Declaration, Power of Attorney & Petition or listing of inventors;
- and
- ☒ A postcard for return to us as proof of receipt of the above documents.

plus

- ☐ An Assignment of the invention to \_\_\_ and an Assignment cover sheet;
- ☐ Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(b))
- ☐ Form PTO-1449 (IDS) and copies of the references listed thereon;
- ☐ A certified copy of \_\_\_\_\_(country) patent application number (priority document).
- ☒ A preliminary amendment;
- ☐ Declaration of Biological Deposit;
- ☐ Submission of sequence listing, computer readable copy and/or amendment relating thereto for biotechnology invention containing nucleotide and/or amino acid sequence;
- ☐ An associate power of attorney;
- ☐ Other.

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### DECLARATION OR OATH

The enclosed Declaration or Oath has been executed by:

- ☐ Inventor(s);
- ☐ Legal representative of the inventors (37 CFR 1.42 or 1.43);
- ☐ Joint inventor or person showing proprietary interest on behalf of an inventor who refused to sign or who cannot be reached and this is a petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is attached;
- ☐ Has not been executed and is enclosed for the purposes of identifying the inventors.

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### INVENTORSHIP STATEMENT

The inventorship for all the claims in this application is:

- ☒ the same;
- ☐ not the same and, as an explanation, a statement is/ will be submitted.

### LANGUAGE

The application submitted herewith is:

- ☒ in English;
- ☐ in not in English and in terms of 37 CFR 1.52(d) a verified translation is
  - ☐ attached
  - ☐ not attached.

### FEE CALCULATION

The filing fee has been calculated as shown below:

	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
BASIC FEE Design Patent				\$170	\$340
BASIC FEE Utility Patent				\$385	\$770
EXTRA FEES				RATE	FEE
TOTAL CLAIMS <u>8</u> MINUS 20 = 0				x 9 = \$	x 18 = \$
INDEP. CLAIMS <u>1</u> MINUS 3 = 0				x 42 = \$	x 84 = \$
<input type="checkbox"/> MULTIPLE DEP. CLAIM				+ 130 = \$	+ 260 = \$
<input type="checkbox"/> ASSIGNMENT				+ 40 = \$	+ 40 = \$
<input type="checkbox"/> RULE 53 SURCHARGE				+ 65 = \$	+ 130 = \$
TOTAL				\$ .00	\$ 770.00

### FEE PAYMENT

- ☒ No Fee is Enclosed at this time.
- ☐ Attached is Check No. \_\_\_\_\_ in the sum of \$ \_\_\_\_\_ to cover the filing and, if applicable, the assignment fee.
- ☐ Please charge Account No. 19-2825 the sum of \$ \_\_\_\_\_.

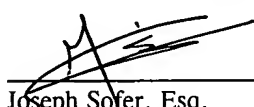
### FEE DEFICIENCY

- ☐ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No. 19-2825:
- ☐ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
- ☐ Assignment Recordal fees.
- ☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 19-2825.
- ☐ A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 3/10/04

SOFER & HAROUN, L.L.P.

  
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PATENT

Docket No. 979-053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Schippl et al.  
Serial No. : TBA  
Filed : March 10, 2004  
For : FLEXIBLE CONDUIT

Group Art Unit: TBA  
Examiner: TBA

AMENDMENT FEE TRANSMITTAL

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-identified application.

☒ No additional fee is required.

☐ The additional fee has been calculated as shown below:

CLAIMS AS AMENDED

	Claims Remaining After Amendment		Highest No. Covered by Previous Payments	Present Extra	Rate	Additional Fee
Total Claims*	8	-	20	=0	x \$9.00	\$_____
Independent Claims	1	-	3	=0	x \$43.00	\$_____
Multiple Dependent Claim(s)	(If claims added by amendment include Multiple Dependent Claim(s) and there was no Multiple Dependent Claim(s) in application before amendment add \$260.00 to additional fee.)					\$_____
					Total:	\$_____
<input type="checkbox"/> Verified Statement of "Small Entity" Status Under 37 CFR § 1.27 filed _____. Reduced Fees Under 37 CFR § 1.9(f) (50% of total) paid herewith.						
						\$_____

\* Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. § 1.75(c).

☐ Charge fee to Deposit Account No. 19-2825 . Order No. \_\_\_\_\_  
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No.19-2825. Order No. 979-053.  
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☐ \_\_\_\_\_ Page(s) of substitute Sequence Listing

☐ \_\_\_\_\_ Computer disk(s) containing substitute Sequence Listing

☐ Statement under 37 C.F.R. § 1.825(b) that the computer and paper copies of the substitute Sequence Listing are the same.

☐ A check in the amount of \$359.00 to cover the filing fee is attached.

Respectfully submitted,

SOFER & HAROUN L.L.P.

Dated: March 10, 2004

By: \_\_\_\_\_

Joseph Sofer

Registration No. 34,438

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PATENT

Docket No. 979-053

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Applicant(s) : Schippl et al.  
Serial No. : TBA  
Filed : March 10, 2004  
Title : FLEXIBLE CONDUIT

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EV267214140US

Date of Deposit March 10, 2004

I hereby certify that the following attached paper(s) or fee

- 1)Patent Application (9 pages)
- 2)Patent Transmittal
- 3)Return Postcard
- 4)Express Mail Certificate
- 5)Informal Drawing (1 sheets)
- 6)Preliminary Amendment
- 7)Amendment Transmittal
- 8)Certified Copy of Priority Document

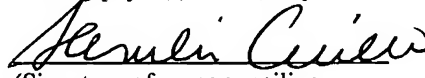
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Alexandria, VA 22313-1450.

Sandria Cirillo

(Typed or printed name of person  
mailing paper(s) or fee)



(Signature of person mailing  
paper(s) or fee)

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